

FISCAL NOTE

Bill #: HB0065

Title: Require report on DUI convictions and alcohol related accidents

Primary Sponsor: Maedje, R

Status: As Introduced

Sponsor signature

Date

David Ewer, Budget Director

Date

Fiscal Summary

	<u>FY 2006 Difference</u>	<u>FY 2007 Difference</u>
Expenditures:		
State Special Revenue	\$31,385	\$28,409
Revenue:		
State Special Revenue	\$0	\$0
Net Impact on General Fund Balance:	\$0	\$0

- | | |
|---|--|
| <input type="checkbox"/> Significant Local Gov. Impact | <input type="checkbox"/> Technical Concerns |
| <input type="checkbox"/> Included in the Executive Budget | <input type="checkbox"/> Significant Long-Term Impacts |
| <input type="checkbox"/> Dedicated Revenue Form Attached | <input checked="" type="checkbox"/> Needs to be included in HB 2 |

Fiscal Analysis

ASSUMPTIONS:

Department of Justice - Montana Highway Patrol

1. The Montana Highway Patrol (MHP) does not have a system that tracks offenses from citation to disposition.
2. To complete this report, MHP would require 1.00 FTE to track the citations manually and interpret each crash individually. The MHP does not determine the cause of a crash, but determines contributing circumstances.
3. The Motor Vehicle Division (MVD) can provide the MHP with a list of convictions based on date of conviction. These convictions would have to be manually cross-referenced with citations/crash reports to tie to the conviction. Due to the nature of the judicial process the date of conviction could occur anywhere from the day of the citation up to several years later.
4. Often times the more serious offenses (3rd offense or subsequent offense DUI, negligent vehicular/assault / homicide) are charged by complaint from the county attorney's office rather than by citation. These convictions generally take longer to process than one based on a citation.
5. This report would have to be manually generated since it would require a review of each crash and related citation to determine cause based on contributing factor. This would have to be done on a case-by-case situation since there is no electronic means of providing this information.

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6. The MHP would not be able to provide the 2003 report within 30 days of passage of the legislation due to the extensive hand searching of records that would be required.
7. It would cost roughly \$1,300 per year to publish a report separate from the MHP annual report.
8. The cost of 1.00 FTE (Grade 9) to accomplish the manual search is \$25,826 for salary and benefits. Regular operating costs are \$5,559 in FY 2006 and \$2,583 in FY 2007.

Department of Justice - Motor Vehicle Division

9. Because there is no statewide citation tracking system, any inquiry into the pre-conviction status of an offense will have to be managed manually on a case-by-case basis.
10. Aggregate, anonymous data is already available from the Motor Vehicle Division and the MHP. These conviction records are tallied, including an annually categorized number of alcohol-related offenses and resultant driver license withdrawal actions. But aggregate data is not specifically linked to accident history.
11. The electronic Motor Vehicle Division Driver Control System can be programmed to provide an electronic extract that contains identifying data for drivers convicted of specified violations. However, such an electronic extract cannot account for actions that are initiated but not resolved within a given twelve-month period or any action that is plea-bargained or dismissed and subsequently re-filed.
12. Additional programming will be required to match conviction data to accident history. Determining a causal relationship between a motor vehicle accident and a conviction reported by a court will require analysis and review by trained technical staff before any such incident can be included within an annual report. The division will absorb the programming costs.

FISCAL IMPACT:

MONTANA HIGHWAY PATROL

	FY 2006 <u>Difference</u>	FY 2007 <u>Difference</u>
FTE	1.00	1.00
<u>Expenditures:</u>		
Personal Services	25,826	25,826
Operating Expenses	<u>5,559</u>	<u>2,583</u>
TOTAL	\$31,385	\$28,409
<u>Funding of Expenditures:</u>		
State Special Revenue (02)	\$31,385	\$28,409
<u>Revenues:</u>		
State Special Revenue (02)	\$0	\$0
<u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u>		
State Special Revenue (02)	(\$31,385)	(\$28,409)

TECHNICAL NOTES:

1. The MHP currently provides data in its annual report regarding alcohol/drug related crashes and fatalities. This report is available on-line and in hard copy.